

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID B. NEWMAN and IRA F/B/O DAVID
NEWMAN-PERSHING LLC as Custodian, on behalf of
themselves and all Others Similarly Situated, and
Derivatively on behalf of FM LOW VOLATILITY FUND,
L.P.,

Plaintiffs,

v.

FAMILY MANAGEMENT CORPORATION;
SEYMOUR W. ZISES; ANDREA L. TESSLER;
ANDOVER ASSOCIATES LLC I; ANDOVER
ASSOCIATES MANAGEMENT CORP.; BEACON
ASSOCIATES LLC I; BEACON ASSOCIATES
MANAGEMENT CORP.; JOEL DANZIGER; HARRIS
MARKHOFF; IVY ASSET MANAGEMENT CORP.;
THE BANK OF NEW YORK MELLON
CORPORATION; MAXAM CAPITAL MANAGEMENT
LLC; MAXAM CAPITAL GP, LLC; MAXAM CAPITAL
MANAGEMENT LIMITED; SANDRA MANZKE; and
JOHN DOES 1-100,

Defendants,

and FM LOW VOLATILITY FUND, L.P.,

Nominal Defendant.
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No. 08 Civ. 11215 (LBS)

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Kate M. McGuire of the law firm of WOLF
HALDENSTEIN ADLER FREEMAN & HERZ LLP hereby enters her appearance as counsel of
record on behalf of plaintiffs David B. Newman and IRA F/B/O David Newman-Pershing LLC

in the above captioned action.

Dated: New York, New York
August 24, 2010

**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP**

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